



PERSONNEL AND
READINESS

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MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY
(MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE NAVY
(MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE AIR FORCE
(MANPOWER AND RESERVE AFFAIRS)

SUBJECT: Directive-Type Memorandum Regarding Reimbursement of Tuition
Assistance by Officers on Active Duty under Section 2007 of Title 10,
United States

This directive-type memorandum modifies Department of Defense Instruction 1322.25, "Voluntary Education Programs," by implementing policy and establishing guidelines for operating the Department of Defense (DoD) Uniform Tuition Assistance (TA) policy. Section 553 of the Ronald W. Reagan amended National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2005 and Section 687 of the NDAA for FY 2006 amended section 2007 of Title 10, United States Code among other statutes, and section 303a of Title 37, United States Code. These amendments modified provisions concerning officers' receipt of tuition assistance while on active duty.

Section 2007 authorizes the payment of TA to officers on active duty and full time National Guard duty and states that such officers incur an obligation to remain on active duty or full time National Guard duty for at least two years after completion of the education for which tuition was paid. Under section 303a of Title 37, United States Code, an officer who does not fulfill his service obligation must repay an amount equal to the unearned portion of tuition assistance, except in circumstances authorized by the Secretary of Defense in regulations. Accordingly:

1. Tuition Assistance is available to commissioned officers on active duty, including reserve component personnel who have been mobilized on active duty or commissioned officers serving on full-time National Guard duty, only if the officer agrees to remain on active duty or full-time National Guard duty for a period of at least two years after the completion of the training or education for which the charges are paid.



2. The Secretaries of the Military Departments may reduce or waive the reimbursement requirement for commissioned officers subject to circumstances beyond their control that preclude course completion. Reasons for reduction or waiver may include mandatory separation; completion of the period of active duty service in support of a contingency operation; exigent circumstances such as an unsolicited or unexpected permanent change in station, long-term mission-related temporary duty assignments, mission-driven changes in work schedule, long-term emergency leave, unanticipated long-term health problems, long-term hospitalization; or for other circumstances as determined by the Secretary concerned.
3. Tuition assistance may not be waived for commissioned officers who voluntarily, or because of misconduct, fail to or are unable to fulfill any term or condition for issuance of tuition assistance.
4. The amount required to be reimbursed to the United States will be computed on a pro-rated basis equal to the unserved portion of active duty the officer agreed to serve but was unable to serve unless reduced or waived as authorized above.

The provisions of this directive-type memorandum are effective immediately and enclosure 2 of DoDI 1322.25 will be modified within 180 days from the date of this memorandum. Please take steps to ensure its full implementation.

Your continuing support of the off-duty, voluntary education program is appreciated.



Michael L. Dominguez
Principal Deputy